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Attorneys for Representative Plaintiff  
 and the Plaintiff Class

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

TIMOTHY P. RUMBERGER,  
 individually, and on behalf of all others  
 similarly situated,

Plaintiffs,

vs.

SPRINT COMMUNICATIONS  
 COMPANY L.P., and DOES 1 through  
 25, inclusive,

Defendants.

**Case No.: C 05-04050 JSW**

**CLASS ACTION**

**STIPULATION AND ORDER RE: FILING  
 AND SERVICE OF SECOND AMENDED  
 COMPLAINT**

The original and Amended Complaint were filed in San Francisco Superior Court under case no. 05-444357, incorrectly naming the Defendant. Through communications with Sprint's attorney of record, Michele Floyd of Reed Smith LLP, the correct name of the Defendant, Sprint Communications Company L.P. has been verified. Defendant has agreed to stipulate to the filing and service of Plaintiff's Second Amended Complaint herein, naming Sprint Communications Company L.P., with the understanding that Plaintiff will dismiss all other entities named previously.

**ACCORDINGLY, IT IS HEREBY STIPULATED BETWEEN THE PARTIES**  
**HERETO**, by and through their respective counsel, that Plaintiff may file the Second Amended Complaint for Damages, Injunctive Relief and Restitution ("SAC"), attached as Exhibit "A." The SAC shall be deemed filed and served upon Defendant on the date of entry of this Order.

Defendant's Answer to Plaintiff's SAC will be due 30 days from date of service thereof.

**IT IS SO STIPULATED:**

Dated: October 27, 2005

**SCOTT COLE & ASSOCIATES, APC**

By: 

Scott Edward Cole, Esq.  
Attorneys for Representative Plaintiff and the  
Plaintiff Class

Dated: October \_\_, 2005

**REED SMITH LLP**

By: \_\_\_\_\_

Michele Floyd, Esq.  
Attorneys for Defendant

**ORDER**

Upon stipulation of the parties hereto, and good cause appearing therefor,

**IT IS HEREBY ORDERED** that:

Plaintiff's Second Amended Complaint shall be deemed filed and served on Defendant as of the date of entry of this Order. Defendant's Answer to Plaintiff's Second Amended Complaint shall be due 30 days from date of service.

Dated: November \_\_, 2005

\_\_\_\_\_  
**HONORABLE JEFFREY S. WHITE**  
JUDGE OF THE SUPERIOR COURT

SCOTT COLE & ASSOCIATES, APC  
ATTORNEYS AT LAW  
THE WORLD SAVINGS TOWER  
1970 BROADWAY, SUITE 550  
OAKLAND, CA 94612  
TEL.: (510) 891-9800

**HERETO**, by and through their respective counsel, that Plaintiff may file the Second Amended Complaint for Damages, Injunctive Relief and Restitution ("SAC"), attached as Exhibit "A." The SAC shall be deemed filed and served upon Defendant on the date of entry of this Order. Defendant's Answer to Plaintiff's SAC will be due 30 days from date of service thereof.

**IT IS SO STIPULATED:**

Dated: October \_\_, 2005

SCOTT COLE & ASSOCIATES, APC  
ATTORNEYS AT LAW  
THE WORLD SAVINGS TOWER  
1970 BROADWAY, SUITE 950  
OAKLAND, CA 94612  
TEL: (510) 891-9800

**SCOTT COLE & ASSOCIATES, APC**

By:

Scott Edward Cole, Esq.  
Attorneys for Representative Plaintiff and  
the Plaintiff Class

Dated: October 19, 2005

**REED SMITH LLP**

By:

Michele Floyd, Esq.  
Attorneys for Defendant

**ORDER**

Upon stipulation of the parties hereto, and good cause appearing therefor,

**IT IS HEREBY ORDERED** that:

Plaintiff's Second Amended Complaint shall be deemed filed and served on Defendant as of the date of entry of this Order. Defendant's Answer to Plaintiff's Second Amended Complaint shall be due 30 days from date of service.

Dated: October 28, 2005

